

either findings or recommendations formally adopted by the committee."

#### IX. AMENDMENT OF RULES

The rules of the committee may be amended or revised at any time, provided that not less than a majority of the committee present so determine at a committee meeting preceded by at least 3 days notice of the amendments or revisions proposed.

### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION RULES OF PROCEDURE

Mr. INOUE. Madam President, the Committee on Commerce, Science, and Transportation adopted rules governing its procedures for the 110th Congress on January 24. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator STEVENS, I ask unanimous consent that the accompanying Rules from the Senate Committee on Commerce, Science, and Transportation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

### RULES OF THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

#### I. MEETINGS OF THE COMMITTEE

1. The regular meeting dates of the Committee shall be the first and third Tuesdays of each month. Additional meetings may be called by the Chairman as the Chairman may deem necessary, or pursuant to the provisions of paragraph 3 of rule XXVI of the Standing Rules of the Senate.

2. Meetings of the Committee, or any subcommittee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee, or any subcommittee, on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (A) through (F) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the Committee, or any subcommittee, when it is determined that the matter to be discussed or the testimony to be taken at such meeting or meetings—

(A) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) will relate solely to matters of Committee staff personnel or internal staff management or procedure;

(C) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(D) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interest of effective law enforcement;

(E) will disclose information relating to the trade secrets of, or financial or commercial information pertaining specifically to, a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(F) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

3. Each witness who is to appear before the Committee or any subcommittee shall file with the Committee, at least 24 hours in advance of the hearing, a written statement of the witness's testimony in as many copies as the Chairman of the Committee or subcommittee prescribes.

4. Field hearings of the full Committee, and any subcommittee thereof, shall be scheduled only when authorized by the Chairman and ranking minority member of the full Committee.

#### II. QUORUMS

1. A majority of the members, which includes at least 1 minority member, shall constitute a quorum for official action of the Committee when reporting a bill, resolution, or nomination. Proxies may not be counted in making a quorum for purposes of this paragraph.

2. Eight members shall constitute a quorum for the transaction of all business as may be considered by the Committee, except for the reporting of a bill, resolution, or nomination. Proxies may not be counted in making a quorum for purposes of this paragraph.

3. For the purpose of taking sworn testimony a quorum of the Committee and each subcommittee thereof, now or hereafter appointed, shall consist of 1 Senator.

#### III. PROXIES

When a record vote is taken in the Committee on any bill, resolution, amendment, or any other question, the required quorum being present, a member who is unable to attend the meeting may submit his or her vote by proxy, in writing or by telephone, or through personal instructions.

#### IV. BROADCASTING OF HEARINGS

Public hearings of the full Committee, or any subcommittee thereof, shall be televised or broadcast only when authorized by the Chairman and the ranking minority member of the full Committee.

#### V. SUBCOMMITTEES

1. Any member of the Committee may sit with any subcommittee during its hearings.

2. Subcommittees shall be considered *de novo* whenever there is a change in the chairmanship, and seniority on the particular subcommittee shall not necessarily apply.

#### VI. CONSIDERATION OF BILLS AND RESOLUTIONS

It shall not be in order during a meeting of the Committee to move to proceed to the consideration of any bill or resolution unless the bill or resolution has been filed with the Clerk of the Committee not less than 48 hours in advance of the Committee meeting, in as many copies as the Chairman of the Committee prescribes. This rule may be waived with the concurrence of the Chairman and the ranking minority member of the full Committee.

### NOMINATION OF GENERAL DAVID PETRAEUS

Mr. DORGAN. Madam President, I regret that commitments in North Dakota prevented me from voting on the nomination of David H. Petraeus to be promoted to the rank of General in the U.S. Army and to be commander of Multinational Forces Iraq.

If present, I would have voted in favor of General Petraeus's nomination.

I believe General Petraeus is well-qualified to command in Iraq. He was unanimously approved by the Senate Armed Services Committee because of his leadership skills and his operational experience. And he is widely recognized as one of the military's top experts on counterinsurgency operations.

He is an excellent choice to be entrusted with the operational command and welfare of over 130,000 American servicemembers who are in the middle of a bloody sectarian battle over the future of Iraq. He is familiar with the situation in that country from his experiences as an infantry division commander during and immediately after the invasion of Iraq, and from his tenure as the commander of U.S. efforts to train and equip Iraqi security forces. Altogether, he has served 27 months in Iraq since the war began.

I was impressed by the fact that General Petraeus promised to regularly update Congress on whether the President's new plan in Iraq is working and on how much progress the Iraqi Government is making toward assuming responsibility for security.

But my support for General Petraeus's nomination should not be taken as support for the President's decision to send additional soldiers and marines to Iraq and to escalate our military involvement there.

I am very skeptical that the President's plan to send 21,500 additional troops to Iraq is going to work.

I have listened to what President Bush and his advisers have said about the subject, and I listened to what General Petraeus said during his confirmation hearing. But I do not think they have adequately explained away the Senate testimony given less than 2 months ago by General Abizaid, the top commander of American troops in Iraq. In November General Abizaid said:

I met with every divisional commander, General Casey, the corps commander, General Dempsey. We all talked together. And I said, "In your professional opinion, if we were to bring in more American troops now, does that add considerably to our ability to achieve success in Iraq?" And they all said no. The reason is because we want the Iraqis to do more. It is easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future.

Has that changed? Has something changed in 2 months? The question for us now is: Should American troops be in the middle of that civil war? Should we send additional troops to that circumstance? If so, for what purpose? And why the change only two months after General Abizaid said the commanders do not believe additional troops will be effective?

That issue is going to be debated here in Congress in the coming weeks. All of us in that debate want to find the right solution for this country to support our